

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA

v.

MARK BRYANT

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**Case No. 3:18-CR-144
Chief Judge Waverly D. Crenshaw**

MOTION TO SET TRIAL

The United States of America, by and through its attorney, the United States Attorney for the Middle District of Tennessee, respectfully requests that the Court set this case for trial in May 2019. The United States provides the following in support of its motion:

1. This case went to trial on February 4, 2019.
2. On February 8, 2019, this Court declared a mistrial following the jury's inability to reach a unanimous verdict after deliberations.
3. The parties have conferred following the trial and the Government stated its intention to set this case for retrial.
4. Gary Ola, a defendant in a related case before this Court (3:18-00145), has already pleaded guilty and is awaiting sentencing on May 3, 2019.
5. Ola's sentencing cannot occur until after the retrial of this case.
6. Witnesses and members of the victim's family are anxiously awaiting a resolution of this case for a variety of professional and personal reasons.
7. Therefore, delay in rescheduling the trial would negatively impact witnesses and the victim's family.

8. The parties are aware that the Court has a full docket, including a two-month trial during March and April. Given this situation, and recognizing that the trial will likely last the same approximate length as the last trial—three days—the Government respectfully requests that the Court set the trial for May 2019.

Respectfully Submitted,

DONALD Q. COCHRAN
UNITED STATES ATTORNEY

s/ Sara Beth Myers
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CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2019, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a Notice of Electronic Filing to the following Defense Counsel: Peter Strianse, 315 Deaderick Street, Suite 1700, Nashville, TN.

s/ Sara Beth Myers

Sara Beth Myers

Assistant United States Attorney